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February 7, 2023

VIVA ECF

Hon. Lewis A. Kaplan  
United States District Judge  
500 Pearl Street  
New York, NY 10007

APPLICATION GRANTED  
SO ORDERED

  
John G. Koelll, U.S.D.J.

Re: *Korukcu v. Jaddou, et al.*  
Case No.: 1:23-cv-00693-LAK

3/31/23

Dear Judge Kaplan:

We write in connection with the above-captioned matter, which was filed as a Writ of Mandamus with the Court on January 26, 2023. We represent the plaintiff, Ahmet Korukcu, who is seeking to compel the adjudication of an I-829 Petition, By Entrepreneur to Remove Conditional Basis of Lawful Permanent Residence Status, that is currently pending with the United States Citizenship and Immigration Services (the "Writ").

The Writ was initially filed with a Civil Cover Sheet designating the Nature of Suit as code 899 ((Administrative Procedure Act/Appeal of an Agency Decision). The Civil Cover Sheet required re-submission due to formatting issues. When the Civil Cover Sheet was resubmitted, the Nature of Suit designation was changed to code 465 (Other Immigration Actions) to more accurately reflect the Nature of Suit.

Pursuant to the correct designation, access to the Writ would be protected under FRCP 5.2(c)(1) ("unless the court orders otherwise, in an action or proceeding relation to...immigration benefits..." only the parties and their attorneys are entitled to remote access). Pursuant to FRCP 5.2(c)(2), "any other person may have electronic access to the full record at the courthouse, but may have remote electronic access only to" the docket and the disposition of the court.

We recently ascertained that, despite the corrected Civil Cover Sheet, the Nature of Suit for this matter is still listed as code 899. We have been advised by the clerk's office that the Judge assigned to the matter must approve the new designation before the correction can be implemented. By copy of this letter, we are requesting that this matter be redesignated with Nature of Suit code 465 "Other Immigration Actions," so that the current docket and any associated filings are properly restricted.

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Thank you in advance for your consideration of the foregoing.

Respectfully submitted,

*/s/ Marty Fojas*

Martin C. Fojas

cc: Jaclyn DeMais, Esq.  
Kate Kalmykov, Esq.